

UNITED STATES DISTRICT COURT
for the
Western District of North Carolina

FILED
ASHEVILLE, N.C.
APR 15 2016
U.S. DISTRICT COURT
W. DIST. OF N.C.

United States of America

v.

Case No.

1:16-mj-47

Larry Dean Bowlsby

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 26, 2007 in the county of Jackson in the
Western District of North Carolina, the defendant(s) violated:

Code Section

Offense Description

18, U.S.C., 844(i)

Use of an explosive or incendiary instrument to damage or destroy a building
or business entity involved in interstate or foreign commerce

This criminal complaint is based on these facts:

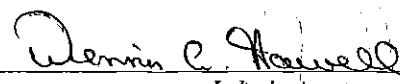
Continued on the attached sheet.


Complainant's signature

David B. Booth, Senior Special Agent

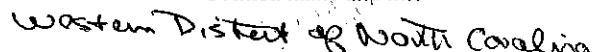
Printed name and title

Sworn to before me and signed in my presence.

Date: 04/15/2016

Judge's signature
City and state: Asheville, North Carolina

Dennis Howell, Magistrate Judge

Printed name and title


Western District of North Carolina

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA**

AFFIDAVIT

I, David B. Booth, am employed as a Senior Special Agent (SS/A) of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), United States Justice Department, and have been so employed for approximately twenty-seven (27) years. As a Special Agent with the Bureau of ATF, I am empowered to investigate alleged violations of the Federal firearms and explosives laws. This Affidavit is not intended to convey all the facts of the entire investigation, but rather to establish probable cause to support the request for Federal Arrest Warrant acquisition.

As an ATF SS/A, I know I know that per Title 18, United States Code, Section 844(i), it is criminal violation to maliciously damage or destroy, by means of fire or an explosive, any building, or other real property used in interstate or foreign commerce, or any activity affecting interstate or foreign commerce.

- (1) On September 26, 2007, an improvised explosive device was detonated inside the Walmart in Sylva, NC. The Walmart Corporation is an international business that affects a multitude of interstate and international commerce. A multi-Agency investigation was launched which included the Bureau of ATF, the Sylva Police Department (SPD), the Jackson County Sheriff's Office (JCSO), and the North Carolina State Bureau of Investigation (NCSBI). After an initial approximately month long exhaustive investigation, no viable leads were formulated, and no viable suspects were identified. The investigation confirmed that an improvised explosive device consisting of galvanized pipe containing black/smokeless powder, was initiated by lighting a green hobby fuse inserted into the pipe. The device was placed in the sporting goods section next to small camping propane cylinders when initiated. Non serious injuries were reported,

but shoppers were inside the store and shrapnel from the device flew in close proximity to at least one shopper.

(2) Device evidence was collected and analyzed by the NCSBI laboratory. Footage from store cameras was collected and analyzed. Upon examination of the camera footage from both inside and outside the store, it became evident that a white male with blond hair pulled back in a ponytail was the likely suspect in the device detonation. The white male was seen entering the store with another white male, who appears to be a teenager, and a white female, who appears to be a teenager. Store surveillance video shows the three to briefly linger together inside the store before breaking up. The older white male is seen taking an object from the female's purse, place it inside a shopping cart, and pushing it through the store. The older male then pushes the cart to the location where an explosive device detonates, leaves it and walks away. The three then walk out of the store and exit the parking lot in a green or blue older model Mercury Grand Marquis. The shopping cart used by the older male was forensically examined for fingerprints, and one latent fingerprint was recovered. The fingerprint was sent for comparison through a nationwide database, which responded that it did not match any other fingerprints on record.

(3) On or about January 26, 2016, the fingerprint recovered from the shopping cart used to place the explosive device at the Sylva Walmart in 2007 was resubmitted to the national database. The North Carolina State Crime Laboratory determined the latent fingerprint, which was not matched to a person when submitted in 2007, was a positive match with fingerprints produced by Larry Dean **BOWLSBY**, FBI number 947387DB1. A NCIC criminal history report was conducted for Larry Dean **BOWLSBY**, and it revealed that **BOWLSBY** was convicted in Sterling, Colorado for possession of explosive/incendiary device on 12/28/09. A query of the incident revealed that on January 09, 2008, Colorado State Patrol stopped a blue 1996 Mercury Grand Marquis, bearing Minnesota license plate number JHG-030. The Trooper made contact with the driver, Larry Dean **BOWLSBY**, and occupants Tanja Lea **BOWLSBY**, Amanda **GRAU**, and Alexander **BOWLSBY**. Larry Dean **BOWLSBY** did not possess a driver's license, or vehicle registration, or proof of insurance. The Troopers advised **BOWLSBY** he could not be permitted to continue to drive

the vehicle, which was impounded and searched per inventory. Found in the trunk of the Mercury were four (4) tennis balls wrapped in black electrical tape with fuses. The devices were later determined to be unregistered incendiary devices, and **BOWLSBY** eventually pleaded guilty to the charge. The Denver Office of ATF assisted in the investigation.

- (4) **BOWLSBY** was arrested and charged in Sweetwater County, Wyoming for failure to appear on a misdemeanor from an offense on 09/18/14. The offense was for shoplifting at the Walmart in Rock Springs, Wyoming. Along with the report received from the Rock Springs Walmart, was a report from the Fernley, Nevada Walmart whereupon **BOWLSBY** was detained for shoplifting there on 11/03/13. A check with Walmart Corporate Security was conducted for any prior known contact their stores had had with Larry **BOWLSBY**, Tanja **BOWLSBY**, Amanda **GRAU**, or Alexander **BOWLSBY**. Aside from Larry **BOWLSBY**'S shoplifting detentions at the Rock Springs, Wyoming, and the Fernley, Nevada stores, Amanda **GRAU** was detained for shoplifting at the Rapid City, South Dakota Walmart on 03/28/09, and Alexander **BOWLSBY** was detained for shoplifting at the Eugene, Oregon Walmart on 06/08/09.
- (5) Larry **BOWLSBY**'S arrest photos were obtained from his 01/09/08 offense in Colorado (exhibit #1), and when compared to the store surveillance photos from the suspect in the Sylva Walmart explosion (exhibit #2), **BOWLSBY** clearly resembles the suspect. Furthermore, Facebook was queried and it was discovered that Tanja Lea **BOWLSBY** has an active open Facebook account. Upon examining her Facebook account, she has pictures posted of herself, Larry Dean **BOWLSBY**, Amanda **GRAU**, and Alexander **BOWLSBY**. The photos on Tanja **BOWLSBY**'S Facebook page of Larry **BOWLSBY**, Amanda **GRAU**, and Alexander **BOWLSBY** resemble the suspect, and persons with the suspect in the Sylva Walmart explosion on 09/26/07.
- (6) On March 08, 2007, a fire was initiated at a Walmart in Palm Coast, Florida. In this incident, surveillance cameras captured video of a suspect setting fire to camping fuel which he had poured onto the floor in the camping section of the store. The fire was investigated by the Florida State Fire Marshal, and no viable leads were formulated,

and no viable suspects were identified. However video and still photographs of a male suspected in initiating the fire were recovered, and video shows the male accompanied by a female. Although grainy in appearance, the suspect photos from this incident closely resemble Larry Dean **BOWLSBY** and Tanja Lea **BOWLSY**.

(7) A possible phone number(s) has been identified as being Tanja **BOWLSBYS'**, and possible addresses have been identified as the **BOWLSBY'S** living in Colorado, or Oregon.

Based on the information contained herein, the affiant requests that an arrest warrant be issued for Larry Dean **BOWLSBY** for violation of Title 18, 844(i).



David B. Booth
Special Agent
Bureau of Alcohol, Tobacco
and Firearms

Sworn to and subscribed to before me on this 15th
day of April, 2016



Dennis L. Howell
United States Magistrate Judge
Western District of North Carolina